

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD MARCH 14, 2019

For the Council meeting of March 14, 2019, the Committee recommends the following:

1. Mobile Bicycle Vending Pilot Review

That Council direct staff to:

1. Bring forward an amendment bylaw containing provisions for a mobile bicycle vending program.

2. 2708 Graham Road and 1050-1054 Hillside Avenue - Development Permit with Variances Application No. 00043 (Hillside/Quadra)

That, subject to the preparation and execution of a Statutory Right-of-Way for 3.57m off Hillside Avenue and a Housing Agreement to ensure a future strata cannot restrict the rental of the units, to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00043 for 2708 Graham Street and 1050-1054 Hillside Avenue, in accordance with:

1. Plans date stamped December 17, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the number of buildings from one to two
 - ii. decrease the site area from 920.0m² to 911.93m²
 - iii. decrease the rear (north) yard setback from 4.57m to 2.31m
 - iv. decrease the side (east) yard setback from the building from 4.57m to 2.42m
 - v. decrease the side (east) yard setback from the stairs from 3.0m to 0.0m
 - vi. increase the site coverage from 40.0% to 48.4%
 - vii. decrease the open site space from 60.0% to 51.6%.
3. Revised plans, to the satisfaction of the Director of Sustainable Planning and Community Development, to add canopies above the townhouse front doors, change the horizontal metal siding to wood, amend the landscape plan bicycle parking to be consistent with site plan, and change the garage door to wood.
4. The Development Permit lapsing two years from the date of this resolution."

3. 506 Herald Street - Application for a Lounge Endorsement to a Manufacturer's License (brewing) for Herald Street Brew Works

That Council direct staff to provide the following response to the Liquor Licensing Agency: Council, after conducting a review with respect to noise and community impacts, does support the application of Herald Street Brew Works, located at 506 Herald Street, to have a lounge endorsement added to their manufacturing license, having hours of operation from 9:00 am to 2:00 am daily, and an occupant load of 178 persons.

Providing the following comments on the prescribed considerations:

1. The impact of noise on the community in the vicinity of the establishment has been considered in relation to the request and assumptions are the noise impacts would be proportional to existing licence capacity in the vicinity. The applicant and operator does not expect the establishment will have negative impacts on neighbours due to the operational concept and a commitment to minimize impacts through monitoring of, and communication to guests. The requested hours of operation and occupant load are not expected to result in disproportionately high negative impacts to the community.

2. If the application is approved, the impact on the community is expected to be positive economically as the approval supports the business plan and long term viability of the establishment. The business model is seen to align well with recent changes made to zoning bylaws which encourage this type of development. The establishment contributes to the richness, and diversity of offerings in the area.
 3. The views of residents were solicited via a mail out which included 284 letters to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. The City received two letters in response to the request, both of which were opposed to the application.
 4. Council recommends the license endorsements be approved.
- 4. 2558 Quadra Street - Victoria Housing Reserve Fund Application (Forest Heights)**
- That Council approve a Victoria Housing Reserve Fund grant application to the Greater Victoria Housing Society in the amount of \$440,000 to assist in the construction of 40 units of housing for low-income seniors, working adults, adults with disabilities and small families at Forest Heights located at 2558 Quadra Street, subject to the following conditions:
1. The applicant receives Council approval for the required rezoning and development permit applications for 2558 Quadra Street and the applicant executes a Housing Fund Agreement and Housing Agreement in the form satisfactory to the City Solicitor and the Director of Sustainable Planning and Community Development; and
 2. The applicant fulfills the requirements of the Victoria Housing Reserve Fund Guidelines.
 3. All existing tenants of 2558 Quadra are offered alternate rental housing at existing rent levels
 4. No net loss of units at existing rent levels in the new building, subject to annual increases as permitted under the *Residential Tenancy Act*.
- 5. 330 - 336 Michigan Street - Victoria Housing Reserve Fund Application (Michigan Square)**
- That Council approve a Victoria Housing Reserve Fund grant application from the Capital Region Housing Corporation in the amount of \$1,485,000 to assist in the construction of 98 units of affordable housing for seniors, adults with disabilities, working singles and small families at Michigan Square located at 330-336 Michigan Street, subject to the following conditions:
1. The applicant receives Council approval for the required development permit applications for 330-336 Michigan Street and the applicant executes a Housing Fund Agreement and Housing Agreement in the form satisfactory to the City Solicitor and the Director of Sustainable Planning and Community Development; and
 2. The applicant fulfills the requirements of the Victoria Housing Reserve Fund Guidelines.
 3. All existing tenants of 330-336 Michigan Street are offered alternate rental housing at existing rent levels
 4. No net loss of units at existing rent levels in the new building, subject to annual increases as permitted under the *Residential Tenancy Act*.
- 6. Motion Arising – Victoria Housing Strategy**
- That Council direct staff to report back in the context of the next update on the Victoria housing strategy on the following:
Incorporating the following provisions into the criteria for housing reserve fund applications.
1. all existing tenants are offered alternate rental housing at existing rent levels;
 2. No net loss of units at existing rent levels in the new building, subject to annual increases as permitted under the *Residential Tenancy Act*;

And that staff report include considerations for viability of redevelopment projects.
And that staff be directed to do this work on a priority basis as part of the Victoria Housing Strategy.

7. 778 Fort Street - Cannabis Provincial Licensing Referrals for Cloud Nine Collective

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

1. Council supports the application of Cloud Nine Collective located at 778 Fort Street to receive a provincial cannabis retail store license providing the following comments on the prescribed considerations:
 - a. The Council recommends that the LCRB issue a cannabis retail store license to Cloud Nine Collective located at 778 Fort Street, subject to the condition that this license not be issued until after Cloud Nine Collective obtains a Development Permit for any proposed alterations to the building exterior that are required to operate the business.
 - b. The application has been reviewed by the Victoria Police Department, Bylaw Services Division, and Sustainable Planning and Community Development Branch and there are no site-specific comments in terms of impacts on the community.
 - c. The City solicited the views of residents by sending public notification letters to property owners and occupiers within 100 meters of this address and to the relevant neighbourhood association. The City sent 485 letters and received 4 letters. 2 letters support the application and 2 letters oppose the application. The City did not receive correspondence from the neighbourhood association.
 - d. A Development Permit is required to ensure alterations to the building exterior don't diminish the pedestrian experience and create safety concerns by obstructing the view from the sidewalk or street into the store.
2. That the letter be provided subject to the applicant's compliance with relevant City Permits and Bylaws.

8. 851 Johnson Street - Local Government Recommendation for Clarity Cannabis

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

2. Council supports the application of Clarity Cannabis located at 851 Johnson Street to receive a provincial cannabis retail store license providing the following comments on the prescribed considerations:
 - a. The Council recommends that the LCRB issue a license to Clarity Cannabis located at 851 Johnson Street, subject to the condition that this license not be issued until after Clarity Cannabis obtains a Development Permit for any proposed alterations to the building exterior that are required to operate the business.
 - b. The application has been reviewed by the Victoria Police Department, Bylaw Services Division, and Sustainable Planning and Community Development Branch and there are no site-specific comments in terms of impacts on the community.
 - c. The views of residents were solicited through a mail-out to neighbouring property owners and occupiers within 100 meters of this address and to the relevant neighbourhood association. The City sent 951 letters and received 12 letters. 10 letters support the application and 2 letters oppose the application. The City did not receive correspondence from the neighbourhood association.
 - d. A Development Permit is required to ensure alterations to the building exterior do not diminish the pedestrian experience and create safety concerns by obstructing the view from the sidewalk or street into the store.
2. That the letter be provided subject to the applicant's compliance with relevant City Permits and Bylaws

9. 603 Gorge East Street - Local Government Recommendation for Clarity Cannabis

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

1. Council supports the application of Clarity Cannabis located at 603 Gorge East Street to receive a provincial cannabis retail store license providing the following comments on the prescribed considerations:
 - a. The Council recommends that LCRB issue a cannabis retail store license to Clarity Cannabis located at 603 Gorge East Street.
 - b. The application has been reviewed by the Victoria Police Department, Bylaw Services Division, and Sustainable Planning and Community Development Branch and there are no site-specific comments in terms of impacts on the community.
 - c. The views of residents were solicited through a mail-out to neighbouring property owners and occupiers within 100 meters of this address and to the relevant neighbourhood association. The City sent 170 letters and received 7 letters. 7 letters support the application and one letter supports the application with some provisions. The City did not receive correspondence from the neighbourhood association.
2. That the letter be provided subject to the applicant's compliance with relevant City Permits and Bylaws.

10. 1402 Douglas Street - Local Government Recommendation for The Original FARM

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

1. Council supports the application of The Original FARM located at 1402 Douglas Street to receive a provincial cannabis retail store license providing the following comments on the prescribed considerations:
 - a. The Council recommends that the LCRB issue a license to The Original FARM located at 1402 Douglas Street, subject to the condition that this license not be issued until after The Original FARM obtains a Heritage Alteration Permit for any proposed alterations to the building exterior that are required to operate the business if required.
 - b. The application has been reviewed by the Victoria Police Department, Bylaw Services Division, and Sustainable Planning and Community Development Branch and there are no site-specific comments in terms of impacts on the community.
 - c. The views of residents were solicited through a mail-out to neighbouring property owners and occupiers within 100 meters of this address and to the relevant neighbourhood association. The City sent 334 letters and received 1 letter. The letter supports the application. The City did not receive correspondence from the neighbourhood association.
 - d. A Heritage Alteration Permit may be required for properties listed on the Victoria Heritage Register that are either heritage-registered, heritage-designated, or subject to a heritage conservation Covenant to conserve and enhance the heritage value, special character and the significant historic buildings, features, and characteristics of the Core Historic Development Permit Area.
2. That the letter be provided subject to the applicant's compliance with relevant City Permits and Bylaws.

11. 3055A Scott Street - Local Government Recommendation for The Original FARM

That the matter be referred to an opportunity for public comment at a Council Meeting for Council's consideration and that the notification radius be 100 meters from the subject site.

12. Climate Emergency Declaration

That Council:

1. Declares a climate emergency and commits to the objective of achieving carbon neutrality in the City of Victoria by 2030.
2. Directs staff to report back at the next update on the Climate Leadership Plan on the resource implications and potential amendments to the plan necessary to meet this objective.
3. Requests that the Mayor write, on behalf of Council, to the Capital Regional District Board Chair, as well as Mayors and Councils of the 12 others municipalities in the Capital Region, advising them of this action and encouraging them to respond favourably to the CRD Board Chair's request to declare a climate emergency and work toward carbon neutrality in each municipality and electoral area by 2030.
4. Requests that the Mayor write to the Provincial Minister of the Environment, assert the City's support to help the Province close the 25% emissions gap in the *CleanBC Plan*, and call on the Province to provide the powers and resources to local governments to make the Region's 2030 target possible as outlined in Appendix A.
5. Requests that the Mayor write to the Federal Minister of the Environment, assert the City's support to help Canada meet its Nationally Determined Contribution target made in the Paris Agreement and call on the federal government to provide the powers and resources to local governments to make the Region's 2030 target possible as outlined in Appendix A.

13. 2019 Victoria Police Budget

Motion to refer:

That the matter be referred to next Thursday's COTW meeting and that Council receive any legal advice regarding the modification of the framework agreement as proposed in the motion and legal advice on the Director of Police Services' decision:

That Council:

1. *Requests that the Police Board pursues the following strategies to absorb the financial impact of two extraordinary new expenditures in 2019 (introduction of the Employer Health Tax and the decision of the Director of Police Services to mandate the hiring of 6 new officers):*
 - (a) *Pursue cost-savings and efficiencies in Non-Staffing Expenditures outlined in pages 5 and 6 of the March 14th report (\$212,000);*
 - (b) *Defer the proposed new Service Desk position until 2020 (\$75,000);*
 - (c) *Pursue savings through consolidation of Exempt Management positions where possible (amount to be determined);*
 - (d) *Authorize a one-time variation from the provision of the Framework Agreement respecting the allocation of VicPD's previous year's surplus funds, to allow for the one-time deployment of VicPD surplus funds in 2019 toward the unanticipated expenditures associated with introduction of the Employer Health Tax and the decision of the Director of Police Services to mandate the hiring of 6 new officers (up to \$503,000).*
 - (e) *Reduce the allocation to the Capital Replacement Reserve, and defer a portion of replacement of vehicles and equipment, to account for any remaining amount required to cover these extraordinary one-time expenditures in 2019 (amount to be determined, depending on [c] and [d] above).*
2. *Requests that the Police Board provide a final budget reflecting these adjustments for consideration by Victoria and Esquimalt Councils.*

3. *Requests that the Township of Esquimalt considers authorizing a one-time variation from the provision of the Framework Agreement respecting the allocation of VicPD's previous year's surplus funds, to allow for the one-time deployment of VicPD surplus funds in 2019 toward the unanticipated expenditures associated with introduction of the Employer Health Tax and the decision of the Director of Police Services to mandate the hiring of 6 new officers.*